

6 TRIBAL GOVERNMENT

6.1 General. The basic objectives of the Bureau of Indian Affairs require the development of comprehensive reservation programs suited to the individual circumstances of each tribal group of Indians. Indian understanding and participation are both vital to the success of programs that are meaningful and beneficial for the Indian people. Tribal government and subsidiary tribal organizations provide historically accepted and best suited means through which Indian understanding and participation in such programs can be achieved. In keeping with this viewpoint, there are basic policies to guide Bureau personnel and operational activities in working with Indian groups in developing programs:

- A. Due recognition and respect will be accorded the official representatives of tribal groups.
- B. All official relationships of the Bureau with the tribal membership will be conducted through the recognized tribal governing bodies.
- C. Tribal governing bodies will be consulted in all Bureau program development and operations activities.

6.2 Objectives of Tribal Government. In addition to the specific objectives of its functional programs, the Bureau has some objectives directly concerning tribal government and subsidiary tribal organizations.

- A. Development of Leadership. The Bureau seeks to foster and to help develop informed and experienced leadership for tribal government and business organizations. Able leadership within a tribe is a prerequisite to independent and self-sustaining groups of Indian citizens.
- B. Development of Management Experience. The Bureau seeks to foster and to help develop the management experience of tribal leaders. Systematic and graduated experience in the actual management of governmental, economic and social functions of the tribal group will provide a firm basis for confident assumption of independent responsibility by Indian groups.
- C. Development of Integration. The Bureau seeks to foster and to help develop an integration of Indian tribes into the

Release 83-1, 10-1-57

BIAM REISSUE
FEBRUARY 1984

BIA, Office of Planning & Policy Analysis
South Interior Building, Room 52
BIAM Records

TRIBAL GOVERNMENT

political and economic structure of the State and National communities. Increasing Indian participation in the political prerogatives and privileges of State and National citizenship; development of tribal government and business organizations to parallel the structure and processes of like organizations within the States and counties; will prepare Indian groups to assume fully their rightful places in the State and National communities.

6.3 Inter-relationships of Tribal Governing Bodies. Tribal governing bodies regulate and administer the internal tribal affairs of their tribe within the authorities accorded them by traditions, constitutions and Federal laws. They operate as independent advocates of tribal political, social and economic interests in all official tribal contacts with offices and persons outside of their tribes. In this capacity the tribal governing bodies have the following relationships, which are not to be taken as preclusive of others:

A. Inter-relationship with National, State and Local Government. With State and local governments, members of Congress and Executive offices of the Federal Government, tribal governing bodies are official organizations representing independent State and National citizens. Their rights of representation, petition and opportunity to be heard are equal to those of other citizen interest groups of the Nation. Like such other groups, tribal governing bodies have independent latitude in exercising legitimate responsibilities of representing the special interests and viewpoints of their tribal memberships.

B. Inter-relationship with Private Persons and Legitimate Organizations. With private persons and legitimate organizations, tribal governing bodies are official organizations representing independent and private ownership interests of their tribes. They may seek relationships, associations and counsel of private individuals and legitimate organizations within their discretion and they may undertake to deal with such parties socially and economically, subject only to the prerogatives exercised by the Bureau of Indian Affairs over tribal trust property by laws.

TRIBAL GOVERNMENT

C. Inter-relationship with Agency, Area and Central Office. With the Agency, Area and Central Offices of the Bureau of Indian Affairs and with the Department of the Interior, tribal governing bodies are official organizations representing the direct beneficiaries of the tribal assets under the ministerial trusteeship of those offices. Tribal governing bodies and, in many cases, individual tribal members are also clients of those offices for counsel and advice, and recipients of services designed for Indian social and economic development. Tribal governing bodies have differing degrees of contact with these offices as follows:

- (1) Agency. Agencies carry on the reservation operations of Bureau programs and serve as immediate points of contact with the Bureau for tribes within each jurisdiction. Tribal governing bodies can look to their respective agencies for services offered by the Bureau, for assistance and for local consultation and recommendations. Tribal governing bodies can expect their respective agencies to be acquainted with local situations, and to give them local decisions when trust resources are involved and appropriate authority has been redelegated to the Agency. Tribal governing bodies can also expect their respective agencies to make recommendations to the Area and Central Offices on transactions requiring decision by those offices. Tribal governing bodies can look to their respective Agency offices for guidance in reservation program development, contacts with sources of specialized assistance and sympathetic support in constructive proposals for the well-being of tribal members. Agency offices provide the first point of consultation on all tribal matters related to the Bureau's programs and trust responsibilities.
- (2) Area Offices. Area Offices coordinate Bureau programs and policies on a regional and inter-tribal basis within their jurisdictions, and through the agencies provide an intermediate point of contact with the Bureau for tribal governing bodies. Tribal governing bodies can look to their respective Area Offices for specialized assistance, consultation and recommendations supplementing those of the agencies, particularly in relationships of

TRIBAL GOVERNMENT

the tribes with other tribes and with the States. Area Offices will be conversant with reservation situations and tribal governing bodies can expect decisions from the Area Offices on transactions related to trusteeship responsibilities and within authorities delegated to the Area Offices. Tribal governing bodies can also expect their respective Area Offices to supplement Agency recommendations with Area recommendations on transactions requiring decisions by the Central Office. Additionally, tribal governing bodies may appeal Agency decisions and actions to the Area Offices.

- (3) Central Office. The Central Office coordinates Bureau programs and policies on a national basis, and through Area Offices and agencies provides a central point of contact for tribal governing bodies on programs of the Federal Government for Indians. Tribal governing bodies can look to the Central Office for specialized assistance, consultation and recommendations supplementing those of the Area and Agency Offices, particularly in relationship of the tribes with other National government offices and with the Congress of the United States. The Central Office may request information and recommendations from the Area and Agency Offices concerning local tribal situations and tribal governing bodies can expect the Central Office to make decisions on transactions related to Bureau trusteeship responsibilities for which authority has not been delegated to Area and Agency Offices. Tribal governing bodies can also expect the Commissioner of Indian Affairs to make recommendations on tribal matters requiring action by the Secretary of the Interior and the Congress of the United States. Additionally, the Central Office will hear tribal appeals from decisions and actions of the Area Offices.
- (4) Department of the Interior. The Department of the Interior exercises discretionary authority over tribal affairs as vested by law. Tribal governing bodies may appeal decisions and actions of the Commissioner of Indian Affairs to the Secretary of the Interior. The Department makes recommendations to the Congress on all legislative matters relating to Indian Affairs.